

12-10-02

DOCKET NO.: TN137/USYS-0111

2122
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 11 2002

Technology Center 2100

In Re Application of:

Andrew Jennings, Et Al

Confirmation No.: 6329

Serial No.: 09/294,617

Group Art Unit: 2122

Filing Date: April 19, 1999

Examiner: Chuck O. Kendall

For: SYSTEM, COMPUTER PROGRAM PRODUCT, AND METHODS FOR
EMULATION OF COMPUTER PROGRAMS

EXPRESS MAIL LABEL NO: EL884782195US
DATE OF DEPOSIT: December 9, 2002

EL884782195US

Box ☒ NON-FEE
☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated September 11, 2002.
- ☐ An Amendment Supplemental to the Paper filed
- ☐ Other:
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
 - ☐ an Independent Inventor

- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
 - ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: .
- ☐ Other Material as follows: .

FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	31	(20 MINIMUM) 31	0	\$9 EACH	\$	\$18 EACH	0
INDEP. CLAIMS	4	(3 MINIMUM) 4	0	\$42 EACH	\$	\$84 EACH	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- ☐ A check is enclosed in the foregoing amount due.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

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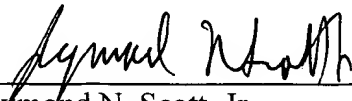
- 4 -

PATENT

☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: December 9, 2002



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: **Jennings et al.**Serial No.: **09/294,617**Group No.: **2122**Filed: **April 19, 1999**Examiner: **C. Kendall**For: **SYSTEM, COMPUTER PROGRAM PRODUCT, AND METHODS FOR
EMULATION OF COMPUTER PROGRAMS**EXPRESS MAIL LABEL NO. EL884782195US

DATE: December 9, 2002

Assistant Commissioner for Patents
Washington DC 20231

Sir:

RESPONSE**RECEIVED**
DEC 11 2002
Technology Center 2100

In response to the office action mailed **September 11, 2002** in conjunction with the above-captioned patent application, and before the end of the three month shortened statutory time for reply, **December 11, 2002**, please reconsider the above-captioned patent application in view of the following remarks.

REMARKS

Claims 1-31 are pending. Claims 1-15 and 18-31 stand rejected. Claims 16 and 17 stand objected to as allowable if rewritten in independent form. Applicant appreciates the examiner's indication of allowable subject matter. Applicant maintains the patentability of claims 1-15 and 18-31 and respectfully requests reconsideration and withdrawal of the rejections and objections to claims 1-31.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-15 and 18-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Horwat (U.S. Patent No. 6,021,275) (hereinafter "Horwat") in view of Sreedhar et al. (U.S. Patent No. 6,182,284) (hereinafter "Sreedhar").

As explained in the background section of the present application, conventional emulation typically uses one of two known approaches: translation or interpretation. Translation converts a program in code native to the target machine to a program in code native to the host